THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

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WRIT PETITION NO : 18695 of 2005

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DATED:23-08-2005

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Sambari Shanker & another.

..... PETITIONERS

AND

The District Collector,

Karimnagar District,

Karimnagar & 2 others.

.....RESPONDENTS

ORDER:

This Writ Petition is filed under Article 226 of the Constitution of India seeking a Mandamus declaring the action of the respondents in demarcating the petitioners' land in an extent of Ac.1.00 gts in Sy.No.796 and an extent of Ac.0.20 gts in Sy.No.793 of Metpally village, Karimnagar District, as illegal and arbitrary.

2. It is the case of the petitioners that the 1st petitioner is the owner of the land admeasuring Ac.1.00 gts in Sy.No.796 and the 2nd petitioner is the owner of the land admeasuring Ac.0.20 gts in Sy.No.793 of Metpally village, Karimnagar District. While so, the respondents, without issuing any notice and without paying the compensation, are taking steps for laying road through the land of the petitioners. The petitioners protested the same, but in vain. Aggrieved thereby, the petitioners approached this Court by way of filing the present Writ Petition.

3. Heard both sides.

4. I have perused the entire material on record.

5. Therefore, having regard to the facts and circumstances, it is not desirable on the part of the respondents to dispossess the petitioners from the above said lands.

6. Without going into the merits of the case, I deem it appropriate to dispose of the Writ Petition with a direction to the respondents not to dispossess the petitioners from the lands in an extent of Ac.1.00 gts in Sy.No.796 and Ac.0.20 gts in Sy.No.793 of Metpally village, Karimnagar District, without following due process of law.

(ELIPE DHARMA RAO,J)

23rd August, 2005.

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